

SUMMARY OF COUNCIL ACTIVITY JANUARY 1, 1977 - MARCH 23, 1977

BILLS AND RESOLUTIONS INTRODUCED BY COUNCILMEMBER HOBSON

BILL 2-1 - D.C. STATEHOOD ACT

(Introduced January 1, 1977) Essentially identical to the statehood bill introduced in 1975, this bill would provide a process for the District of Columbia to be admitted into the Union on an equal footing with the other states. The bill calls for a combined referendum on the issue of statehood and an election for delegates to represent the voters at a constitutional convention in the November 1977 general election. The legislation was referred to the Committee on Government Operations. Hearings were held on this issue on April 26, 1976. No new hearings are scheduled; the measure is pending before the Committee; no date has been set for its consideration.

BILL 2-2 - THE INITIATIVE AND REFERENDUM AMENDMENT ACT AND BILL 2-94, THE RECALL OF ELECTED OFFICIALS AMENDMENT ACT

Introduced January 3, 1977, Bill 2-2, the "Initiative and Referendum Amendment Act" would enable citizens to participate directly in the District's legislative process. The bill would amend the Home Rule Charter to permit citizens to: (1) draft legislation for voter approval or disapproval and (2) place legislation that has already become law on the ballot for voter consideration.

The "Recall of Elected Officials Amendment Act" (Bill 2-94) would amend the Home Rule Charter to allow the citizens of the District to remove or "recall" an elected incumbent official before the expiration of that person's term of office.

Both bills were referred to the Committee on Government Operations and hearings were held on March 1, 1977. That Committee considered and approved both bills on March 16, 1977 and reported out initiative, referendum, and recall legislation as one bill for Council consideration. Full Council consideration is scheduled for April 5, 1977 (1st reading) and April 19, 1977 (2nd reading).

BILL 2-3 - THE EDUCATIONAL ACCOUNTABILITY ACT OF 1977

(Introduced January 3, 1977) The bill calls on the Board of Education to design and implement minimum standards of student competency for promotion and graduation. Bill 2-3 is a commitment to the young people of the District that public education will provide each student with the reading, writing, communication and mathematical skills to effectively compete in today's world. Through the provisions of this bill, citizens and taxpayers will also know how well students are learning basic academic skills; annual reports to the public are required.

The bill was referred to the Committee on Education, Recreation and Youth Affairs; hearings were held on February 23, 1977. Committee action is scheduled this spring. Final Council consideration is anticipated for late spring.

BILL 2-4 - THE YOUTH EMPLOYMENT ACT OF 1977

(Introduced January 3, 1977) The bill is designed to stimulate action on the serious unemployment problems which confront our city's young people. Specifically the bill calls for the establishment of a learner wage for youth under 18 years of age, at 75% of the adult minimum wage. A similar differential is provided during the first 26 weeks of employment of young adults under the age of 22.

Bill 2-4 was referred to the Committee on Education and Youth Affairs. Hearings are scheduled (tentatively) for April 20, 1977. The measure is pending in Committee with no date set for consideration.

BILL 2-5 - THE RETURNABLE BEVERAGE CONTAINER ACT OF 1977

(Introduced January 3, 1977) The bill is designed to reduce the amount of solid waste generated in the District by placing a 5¢ mandatory deposit on all beverage containers sold in the District. Numerous environmental and consumer groups such as D.C. PIRG, Environmental Action and the League of Women Voters have supported this legislation.

The bill was referred to the Committee on Transportation and Environmental Affairs. Hearings were held in June 1975; to date no new hearings have been scheduled. The measure is pending before the Committee and no date has been set for consideration.

BILL 2-6 - THE NON-CRIMINAL POLICE SURVEILLANCE ACT OF 1977

(Introduced January 3, 1977) The bill is designed to protect the basic rights of privacy, freedom of expression and association, and the redress of grievances. The bill establishes specific safeguards against police surveillance activities aimed at the lawful political activities of individuals and organizations in D.C. The bill specifically outlines the type of police intelligence activities that are illegal -- such as unauthorized wire tapping, inciting people to engage in unlawful activities or interfering with the lawful activities of individuals or organizations.

The bill was referred to the Committee on the Judiciary. Hearings were held on this bill on July 9, 1977. To date no new hearings have been scheduled and the matter is pending before the Committee

BILL 2-7 - D.C. CLEAN INDOOR AIR ACT OF 1977

(Introduced January 3, 1977) The bill is designed to protect the public's health, comfort and environment by prohibiting smoking in public places and at public meetings except in designated smoking areas. Organizations such as D.C. Lung Association, the Metropolitan Coalition for Clean Air and Action on Smoking and Health (ASH) have all endorsed the bill.

The legislation was referred to the Committee on Transportation and Environmental Affairs. Hearings were held on this bill in April 1976.

No new hearings have been scheduled; the bill is pending before the Committee with no date set for consideration.

BILL 2-8 - THE DISTRICT OF COLUMBIA STATE FAIR ACT OF 1977

(Introduced January 3, 1977) The bill would bring about the development of a true City-State fair in D.C. District citizens have never enjoyed the opportunity of demonstration their rich legacy, talents and accomplishment. The District of Columbia, as the nation's capital, possesses an international heritage of social, cultural, governmental, business and religious institutions that have never been adequately showcased for the citizens of the City or for visitors. With the presence of the Smithsonian Institution, the District has the unique opportunity to explore the use of the Folklife Festival site for such an annual fair. The act outlines basic planning, development and funding provisions for such a fair.

Bill 2-8 was referred to the Committee on Education, Recreation and Youth Affairs. To date no hearings have been scheduled; the measure is pending in the Committee.

BILL 2-9 - THE PRACTICE OF AUDIOLOGY AND SPEECH PATHOLOGY ACT OF 1977

(Introduced January 3, 1977) The bill would provide a regulatory authority over persons who offer services to individuals with speech and hearing difficulties. The purpose of the legislation is to protect the health and safety of those who are communicatively impaired from unqualified practitioners, unscrupulous practice and unethical conduct. Endorsed by the American Speech and Hearing Association and the Alexander Graham Bell Association for the Deaf, the legislation was referred to the Committee on Public Service and Consumer Affairs.

Hearings were held on March 16, 1977; the Committee will be considering the measure this spring.

BILL 2-17 - THE COMMITTEE ON THE HANDICAPPED ACT

(Introduced January 6, 1977) Co-introduced along with Councilmember Nadine Winter, the bill would establish a commission whose duty would be to set standards for barrier free design that would ensure architectural accessibility for all new buildings and facilities designed for public use. This bill was an outgrowth of the "Architectural Barriers Act of 1975" which sought to require that all new buildings and facilities be made architecturally accessible.

The bill was referred to the Committee on Human Resources and the Aging and is pending before that Committee.

BILL 2-22 - HOLLOW POINT BULLET PROHIBITION ACT

(Introduced January 7, 1977) The bill would ban the use of "hollow point" bullets by the Metropolitan Police Department. The bill was referred to the Committee on the Judiciary. Hearings have been scheduled for March 31, 1977; the Committee will be considering the bill in the spring.

BILL 2-115 - THE ENERGY ADVISORY COMMISSION ACT

(Introduced March 21, 1977 and referred to the Committee on Government Operations) The bill sets a goal of reducing the District's total energy consumption level in 1980 by 15% from the 1972 pre-embargo level of energy consumption and establishes an Energy Advisory Commission to make recommendations for achieving that goal. The Commission would recommend future energy policies which the city should follow in both the private and governmental sector.

RESOLUTION 2-29 - THE PAUL ROBESON MULTI MEDIA CENTER ANNIVERSARY RESOLUTION

(Introduced and adopted February 29, 1977) The resolution honors the first anniversary of the operation of the Paul Robeson Multi-Media Center.

CO-SPONSORSHIP OF BILLS OR RESOLUTIONS

BILL 2-53 - THE UNIFORMED CONTROLLED SUBSTANCES ACT

(Introduced January 18, 1977)

EDUCATION, RECREATION, AND YOUTH AFFAIRS COMMITTEE

BILLS REFERRED TO THE EDUCATION, RECREATION, AND YOUTH AFFAIRS COMMITTEE FOR STUDY/ACTION

- | | |
|---------------|--|
| (1) Bill 2-3 | <u>Educational Accountability Act</u>
Introduced by Hobson on 1-3-77;
hearings held 2-24-77; pending before
the Committee. |
| (2) Bill 2-4 | <u>Youth Employment Act</u>
Introduced by Hobson on 1-3-77; hearings
tentatively scheduled for 4-20-77;
pending before the Committee. |
| (3) Bill 2-8 | <u>D.C. State Fair Act</u>
Introduced by Hobson on 1-3-77; no
hearing date has been set; matter
pending in Committee. |
| (4) Bill 2-18 | <u>D.C. School Attendance Review Board Act</u>
Introduced by Spaulding on 1-6-77; no
hearing date has been set; matter
pending in Committee. |
| (5) Bill 2-19 | <u>Cooperative Responsibility in Public
Education Act</u>
Introduced by Spaulding on 1-6-77;
hearings were held on 2-24-77; the matter
is pending before the Committee. |

THE ENERGY AND COMMISSION ACT

Section 14-101

14-101. The Energy and Commission Act. The purpose of this act is to provide for the regulation of the energy industry and to ensure the safety and health of the public. The act shall be known as the Energy and Commission Act.

SECTION 14-102. SHORT TITLE OF ACT

14-102. This act may be cited as the Energy and Commission Act.

14-103. The Energy and Commission Act. The purpose of this act is to provide for the regulation of the energy industry and to ensure the safety and health of the public. The act shall be known as the Energy and Commission Act.

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- (6) Bill 2-20 University of D.C. Senior Citizens Internship Act
Introduced by Spaulding on 1-6-77; no hearing date has been set; matter is pending in Committee.
- (7) Bill 2-27 Additonal Teachers Salary Act Amendments
Introduced by Tucker on 1-10-77; Adopted 2-22-77; Act 1-199.
- (8) Bill 2-59 1977 Public Education Amendments Act
Introduced by Hardy on 1-19-77; no hearing date has been set; matter is pending before the Committee.
- (10) Bill 2-110 D.C. Non Resident Tuition Act Amendments of 1977
Introduced by Tucker for the Board of Education on 3-8-77; no hearing date has been set; the matter is pending in Committee.
- (11) Bill 2-111 D.C. Board of Education School Seal Act of 1977
Introduced by Tucker for the Board of Education on 3-8-77; no hearing date has been set; the matter is pending in Committee.
- (12) Bill 2-112 D.C. Board of Education Contracting Authority Act of 1977
Introduced by Tucker for the Board of Education on 3-8-77; no hearing date has been set; the matter is pending in the Committee.

RESOLUTIONS REFERRED TO THE EDUCATION, RECREATION, AND
YOUTH AFFAIRS COMMITTEE FOR STUDY/ACTION

- (1) P.R. 2-11 Guaranteed Student Loan Program Resolution
Introduced by Spaulding on 1-6-77; the matter is pending before the Committee.
- (2) P.R. 2-23 Guaranteed Student Loan Program Extension Resolution
Introduced by Spaulding on 2-7-77; Committee report filed on 3-1-77; work session 3-14-77; withdrawn in legislative session 3-22-77.

Department of D.C. Senior Citizens Institute
Institution by 2-6-77; no
action has been taken; matter is
pending in Committee.

Institution by 2-6-77; no
action has been taken; matter is
pending in Committee.

Institution by 2-6-77; no
action has been taken; matter is
pending in Committee.

Institution by 2-6-77; no
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action has been taken; matter is
pending in Committee.

Council of the District of Columbia

Memorandum

District Building, 14th and E Streets, N.W. 20004

Fifth Floor

724-8000

To All Councilmembers

From Julius W. Hobson, Councilmember at-Large *duh*

Date March 21, 1977

Subject Energy Advisory Commission Act

Today, I am introducing the "Energy Advisory Commission Act". The bill would establish an Advisory Commission whose primary functions would generally be to: (1) monitor and analyze the current energy policies of the District; (2) evaluate future energy supplies available to the District of Columbia; (3) develop recommendations for Council consideration which would enable the District of Columbia to implement long range energy conservation policies and programs through 1985; (4) recommend an energy control contingency plan for shortages caused by severe winter weather; and (5) determine how the District of Columbia should coordinate with surrounding jurisdiction in times of energy shortages. This bill has become urgent in light of increasing energy demand and supply problems.

BACKGROUND

I introduced similar legislation last year in the form of a resolution (P.R. 1-221, the "Energy Advisory Commission Resolution") which was referred first to the Committee on Government Operations and later, at my request, to the Committee on the Budget. One purpose of P.R. 1-221 was to assure that the District would successfully utilize planning funds available under the Energy Policy and Conservation Act. This legislation was to be considered by that Committee in conjunction with Bill 1-197, the "Energy Conservation Act" (introduced by Councilman Jerry Moore) but was never reported out to the full Council. Consequently, both measures lapsed on December 31, 1976.

PURPOSE

In December 1975 Congress passed the Energy Policy and Conservation Act (P.L. 94-163). This Act establishes a voluntary Federal program for state energy conservation plans designed to promote conservation of energy and reduce the rate of energy demand. Under this Act D.C. could receive as much as \$500,000 in Federal funding over the next two fiscal years to implement a city-wide energy conservation program, provided the City prepares a state energy plan in accordance with the Federal Energy Administration (FEA) guidelines by March 28, 1977.

The Municipal Planning Office of the District of Columbia has received a \$52,000 federal grant for developing a state energy conservation plan and is now in the process of preparing that plan for submission to FEA on March 28, 1977. The District's energy conservation plan must include the following in order to be eligible for Federal Assistance:

- mandatory lighting efficiency standards for public buildings;
- programs to promote carpools and public transportation;
- mandatory thermal efficiency standards and insulation requirements for buildings;
- mandatory standards and policies relating to energy efficiency that govern the procurement practices of the District Government;
- traffic laws or regulations allowing motor vehicles to turn right at a red stop light after stopping.

The purpose of the Energy Advisory Commission is to review the plan the District is submitting to FEA and expand on the plan to set in motion the development of a long range comprehensive city wide energy program.

SPECIFIC OBJECTIVES AND TASKS OF THE COMMISSION

1. The Energy Advisory Commission's first task would be to analyze and monitor the current and future energy supplies available to the District of Columbia and assess the feasibility of reducing the District's total energy consumption in 1980 by at least 15% from the 1972 pre-embargo energy level.

2. A second task of the Commission would be to examine other areas outside the requirements of the Energy Policy and Conservation Act where energy conservation measures could be realized. These would include but not be limited to:

- Utility energy consumption and rate schedules; (Projects such as experimental peak pricing, lifeline, inverted rate structures and various load control technologies such as storage heaters and ripple systems could be examined as to their feasibility in the District.)
- restrictions governing the hours and conditions of operations of public buildings;
- transportation controls;

- energy recovery from the District's solid waste stream; (D.C. generates about 2,000 tons of trash per day. About 80% of this is combustible and could be used as fuel or a fuel supplement. A potentially large market exists in the District with the presence of the Federal Government and local utilities.)
- programs for collecting and reusing used oil.

3. The Commission's third task would be to assist in the development of an "energy control" contingency plan in the event of energy shortages brought on by an unseasonably cold winter such as we have had this year (1977).

4. A fourth task would be to examine how the District should coordinate with surrounding jurisdictions to reduce energy demand and deal with periodic energy shortages.

5. A fifth task would be to assess the social, economic, and environmental impact such energy conservation proposals may have on the residents of the District of Columbia.

THE NEED

Energy is becoming an increasingly expensive commodity. Citizens have only to look at their heating and electric bills for the past year to realize this fact. The harsh winter of 1977 with its accompanying shortages of fuel and resulting economic dislocations has dramatized this situation even further.

The District Government alone has spent in excess of \$30 million for electric and heating bills in fiscal year 1976. There is currently no coordinated program to conserve or reduce the amount of energy used in the District. In 1975 the D.C. Government consumed about 4,400 billion Btu's of energy. A reduction in 15% of this amount could result in an annual dollar savings of nearly \$4.5 million to the taxpayers without any reduction in services or standards.

By creating an Energy Advisory Commission to develop recommendations on ways to reduce the amount of energy consumed in the District and to outline future energy policies which the City should follow in both the private and governmental sector, the City Council will be taking a positive step toward addressing the future energy needs of the District of Columbia. We need to begin now.

Nationally and worldwide, energy trends indicate that natural gas and oil will be in increasingly short supply and available only at a much greater cost. Currently these two commodities supply 76% of the energy that we consume. The purpose of the Energy Advisory Commission is to stimulate wise energy use and energy conservation in the District of Columbia.

through planning in order to offset the dwindling production of these fuels until such time as developments in technology have enabled the country and the District to make use of alternative energy sources.

I welcome your support,

Julius W. Hobson

RECEIVED

A BILL

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OFFICE OF THE SECRETARY
DISTRICT OF COLUMBIA

In the Council of the District of Columbia

Councilmember Julius W. Hobson introduced the following bill which was referred to the Committee on _____

To establish an Advisory Commission on Energy to monitor and analyze the current energy policies of the District of Columbia and to develop recommendations to enable the District of Columbia to design and implement a comprehensive energy program and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Energy Advisory Commission Act of 1977".

Sec. 2. The Council of the District of Columbia finds that -

(a) There is currently no comprehensive or coordinated program to assure an adequate supply of energy through 1985 for the District of Columbia.

(b) There is a great need to develop a comprehensive energy program, including goals and standards, for the District of Columbia in view of the soaring costs of fuel and electricity and the potential for a serious scarcity of natural gas during the next four to seven years.

(c) The District of Columbia Government heating and electrical costs have exceeded \$30 million for F.Y. 1976. Through strong energy conservation measures, a savings of 10 to 15 % of the 4,399 billion Btu's of energy used annually by the District of Columbia Government could

mean a minimum savings of more than \$4 million to the taxpayer for F.Y. 1978 in projected fuel costs.

(d) Under the Energy Policy and Conservation Act (P.L. 94-163), which establishes a program for state energy conservation plans designed to promote the conservation of energy and reduce the rate of growth of energy demand, the District of Columbia is eligible to receive as much as \$500,000 in financial assistance over the next two fiscal years to develop and implement a state wide energy conservation plan, provided the District of Columbia Government prepares a state energy conservation plan in accordance with Federal Energy Administration guidelines and submits that energy conservation plan to the Federal Energy Administration by March 28, 1977.

Sec. 3. The Council of the District of Columbia hereby establishes an Energy Advisory Commission (herein after referred to as the Commission) to perform the following functions:

(a) Analyze and evaluate current and future energy supplies available to the District of Columbia; and

(b) Analyze and evaluate energy conservation programs presently in effect in the District of Columbia; and

(c) Assess the feasibility of reducing the District of Columbia's total energy consumption in 1980 by at least 15% from the 1972 pre-embargo energy consumption level; and

(d) Develop and submit to the Council of the District of Columbia legislative or administrative recommendations

for a District of Columbia wide conservation program to achieve the goal specified in Section 3(c). In order to achieve the goal set in Section 3(c), the Commission shall consider, but not limit itself to, the following areas --

- (1) mandatory lighting efficiency standards for public buildings; and
- (2) programs to promote carpools and public transportation; and
- (3) mandatory standards and policies relating to energy efficiency to govern District of Columbia government procurement practices; and
- (4) mandatory thermal efficiency standards and insulation requirements for new and renovated buildings; and
- (5) traffic regulation, which to the maximum extent consistent with safety, permits the operator of a motor vehicle to turn right at a red stop light after stopping; and
- (6) restrictions governing the hours and conditions of operation of public buildings; and
- (7) transportation controls; and
- (8) energy recovery from the District of Columbia solid waste stream; and
- (9) utility energy consumption and rate schedules; and
- (10) programs for collecting and reusing used oil; and
- (11) programs of public education to promote energy conservation; and
- (12) Any other appropriate method or program to conserve energy.

(f) Examine and make recommendations on how the District of Columbia can develop an energy control contingency plan in times of energy shortages; and

(g) Examine and make recommendations on how the District of Columbia can best coordinate with the surrounding jurisdictions in the Washington Metropolitan Area in times of energy shortages; and

(h) Analyze and evaluate the social, economic and environmental impact such proposals may have on the residents of the District of Columbia.

Sec. 4. (a) The Commission shall be a non partisan body composed of twelve members and shall include representatives of the Executive Branch of the District of Columbia, the business community, labor organizations, public interest groups, consumer groups, environmental organizations, the utilities, civic and citizen associations, and members of the academic and technical community.

(b) The Commission shall operate for a period of two years from the appointment of its members unless terminated by act or resolution of the Council of the District of Columbia.

(c) Six members of the Commission shall be appointed by the Mayor and six members shall be appointed by the Council of the District of Columbia.

(d) All appointments under this section shall be made not later than thirty days after the effective date of this act.

(e) All members of the Commission shall be residents of the District of Columbia.

(f) No member of the Commission shall be entitled to receive compensation as a member. Members of the Commission, while traveling on official business in the performance of services for the Commission, shall be entitled to receive expenses of travel,

including per diem in lieu of subsistence in accordance with subchapter I of Chapter 57 of Title 5 of the United States Code.

(g) Those charged with the selection of members of the Commission shall keep the age, racial and sexual composition of the District of Columbia in mind, so as to arrive at a representative body.

(h) The Chairman of the Commission or his designated representative, who must be a member of the Commission, shall convene all meetings of the Commission. Seven members of the Commission shall constitute a quorum.

(i) A majority of the Commission may select a Director who shall perform the duties for the day-to-day functioning of the Commission as deemed necessary by the members, including but not limited to appointment of staff and selection of consultants.

(j) All recommendations and reports submitted by the Commission along with any suggested legislation, regulations, or amendments to regulations shall be a matter of public record.

Sec. 5. (a) The Commission shall have the authority to create and operate under its own rules of procedure.

(b) The Commission shall have the authority to request directly from each department, agency or instrumentality of the District of Columbia, and each department, agency, or instrumentality is hereby authorized to furnish directly to the Commission any information deemed necessary by the Commission to carry out its functions, as specified by this act

(c) The Commission, or any member thereof, may for the

purpose of carrying out the provisions of this act, hold hearings, sit and act at such times and administer oaths as required.

(d) The Commission is authorized to use space and supplies owned or rented by the District of Columbia, when and where possible. The Commission is further authorized to use staff on loan from the Council of the District of Columbia or staff detailed by the Executive Branch for such purposes as the Commission may determine.

(e) The Council and the Executive Branch shall make an effort to obtain supplemental funding for the Commission. The Council shall approve the receipt of any such supplemental funding and shall establish a special fund into which such supplemental funds shall be placed. Such special funds shall adhere to established funding procedures of the District of Columbia Government.

(f) The Commission may apply for and accept grants, contributions, and appropriations, including those from the Federal Government, for carrying out its purposes.

Sec. 6. The Mayor shall transmit a copy of this act to members of the Commission upon their appointment.

Sec. 7. This act shall take effect pursuant to paragraph (1) of subsection (c) of section 602 of the District of Columbia Self-Government and Governmental Reorganization Act.

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

Text of Telegram Sent to Clarence M. Kelley, Director of the
Bureau of Investigation

March 18, 1977

Mr. Clarence M. Kelley
Director, Federal Bureau of Investigation
10th and Pennsylvania Ave., N.W.
Washington, D.C. 20535

On June 21, 1976 I requested full access, under the Federal Privacy Act and Freedom of Information Act, to any information and records which the FBI has compiled on me. To date I have received none of the information requested. It has been 9 months since this request has been made and it is imperative that I obtain any information and records that the FBI has compiled on me by April 4, 1977.

If this request cannot be honored by April 4, 1977, when can I expect to receive the requested information? My office number is 724-8072.

Thank you for your cooperation.

Sincerely,

Julius W. Hobson

Council of the District of Columbia

Memorandum

District Building, 14th and E Streets, N.W. 20004

Fifth Floor

724-8000

To All Councilmembers

From *JWH* Julius W. Hobson, Councilman at-Large

Date February 17, 1977

Subject Introduction of the "Recall of Elected Officials Amendment Act"

Today I am introducing the "Recall of Elected Officials Amendment Act". The bill would amend the Home Rule Charter to allow the citizens of the District to remove or "recall" any elected incumbent official before the expiration of that person's term of office.

BACKGROUND

Councilman Arrington Dixon introduced very similar legislation (Bill 1-119, the "Public Officials Recall Act") in June 1975 which was referred to the Government Operations Committee. After a preliminary investigation the Committee determined that the measure would require a Charter Amendment and voted to refer the matter to the Committee of the Whole for its consideration. The Committee of the Whole never considered the measure and the bill lapsed on December 31, 1976. Because of interest and support expressed by such groups as the Americans for Democratic Action, the D.C. Federation of Civic Associations, D.C. Public Interest Research Group and a number of ANC Commissioners, I am reintroducing recall legislation.

PURPOSE

Passage of the "Recall of Elected Officials Amendment Act" would secure an orderly and speedy procedure for the removal of elected officials whose tenure in office has been repudiated by the electorate. In a democracy an elected officer serves at the will of the people. When an official ceases to be responsive to that will, there should be adequate legal remedies for his removal. A recall procedure is such a solution.

SUMMARY OF PROVISIONS

Essential elements of the bill:

1. Citizens may initiate recall petitions to remove any incumbent elected official from office in the District of Columbia other than the Delegate.

2. A recall petition must be signed by 30% of the qualified voters in the election district of the official sought to be recalled. The percentage would be calculated from the number of votes cast in the election in which the incumbent was elected.
3. Upon receipt of the proper number of signatures the Board of Elections and Ethics would call a special recall election.
4. The candidate to be recalled shall be removed by a vote of a majority of those voting in the recall election.
5. A vacancy created by such a recall would be filled in the same manner as other vacancies.

OVERVIEW

Recall, like the initiative and referendum process, is an outgrowth of the progressive era in the United States. South Dakota was the first state to make recall a part of its constitution in 1898. Since that time numerous other states and municipalities have enacted similar constitutional or charter amendments. Such diverse areas as California, Los Angeles, Philadelphia and Columbus, Georgia have made recall a part of their political process.

Under a representative form of government the trust of the people is placed in elected officials to fulfill their duties with intelligence and capability that qualified them to assume office. Generally public officers complete their terms of office with only varying amounts of criticism from the citizens they serve. However, occasionally there are elected officials whose incumbency is not supported by the voters. Their continued office holding may constitute a detriment both to the government and the people to whom they are responsible. Under these circumstances, the public should not permit such an officer to continue in office until the expiration of his term and that official should be removed as quickly as possible.

Critics of recall have stated that such a measure would upset the stability and orderly administration of government by providing the means for a disenchanted minority to harass elected officials. This is an unrealistic fear, however. First the bill itself requires that a recall petition must be signed by 30% of the qualified voters in that official's election district (the percentage is calculated from the number of votes cast in the election in which the incumbent was elected). This is a significant percentage and would reflect a genuine sentiment among the voters to begin the process of removing an unresponsive official. Second, today's voter is better educated and informed than at any other time in our history.

A free press is available to express and discuss opposing views. The chance that the voters will abandon their better instincts and blindly follow an irrational and detrimental path are remote. The current trend of ticket splitting in elections is testimony to the independence of the average American voter.

We must remember that public officers are the repositories of the sovereign power of the state and the instruments through which that power is exerted. It is essential to our political well being that citizens exercise strong control over these elective officers and hold them accountable. A mature democratic society will not accept the sophistry that a corrupt or unresponsive elected officer should not be turned out of office because his previous election shows that he is what the people want.

An elected official must continue to voice the views of his constituents or be subject to recall at any time. That person's tenure in office is predicated upon the continuous allegiance to the people who elected him. The criticism of possible abuse of recall are far outweighed by the benefits to be derived by the electorate from a representative accountable to their needs and desires.

There is no way to assure that persons whose motives, activities and qualifications are subject to question will never enter public office. Recall is a means of removing such persons when their conduct proves they no longer deserve the public trust.

I welcome your support.

Julius W. Hobson
A BILL

In the Council of the District of Columbia

Councilmember Julius W. Hobson introduced the following bill
which was referred to the Committee on _____

To amend the Charter of the District of Columbia to provide for
the recall of elected officials of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Recall of Elected Officials
Amendment Act".

Sec. 2. That the amendment to the Charter which follows
such be placed on the ballot at the November, 1977 election:

"PROPOSED AMENDMENT TO THE HOME RULE CHARTER

"RECALL OF ELECTIVE OFFICERS

"Sec. 101

Any elected officer in the District of Columbia, except the
Delegate in Congress created by Chapter 2A of Title I of the
D.C. Code, may be recalled and discharged by the legal voters of
the election ward from which he was elected or from the District
of Columbia at-large in the case of an at-Large elected officer,
whenever a petition demanding his recall, containing a general
statement of reasons for which recall is sought, is signed by thirty
percent (30%) of the qualified electors thereof, the percentage
required to be computed from the total number of votes cast for all

John W. McLean
A Bill

To the Senate of the District of Columbia

Enacted January 1, 1907, and introduced the following bill
which was referred to the Committee on

To amend the District of Columbia Organic Act
the title of which is "An Act to amend the District of Columbia

IS IT ENACTED BY THE SENATE OF THE DISTRICT OF COLUMBIA

That this bill may be cited as the "Recall of Elected Officials
Act."

Sec. 1. That the amendments to the Charter which follow

shall be added to the Charter as the November, 1907 election

PROPOSED AMENDMENT TO THE DISTRICT OF COLUMBIA

"RECALL OF ELECTED OFFICIALS"

"Sec. 101

Any elected official in the District of Columbia, except the

Delegates in Congress created by Chapter 11 of Title 1 of the

D.C. Code, may be recalled and discharged by the legal voters of

the election ward from which he was elected at two the District

of Columbia at-large is the case of an at-large elected official,

whereas a petition containing the recall, containing a general

statement of reasons for which recall is sought, is signed by thirty

persons (10%) of the election ward from which the person

petitioned to be recalled, or the total number of votes cast for all

candidates from the ward (or from the District of Columbia at-large where appropriate) for his said office to which he was elected at the preceding election, is filed with the Board of Elections and Ethics. The Board of Elections and Ethics shall call a special election as provided for by the election laws of the District of Columbia.

"Sec. 102

An elective officer may not be recalled within the first 120 days nor the last 180 days in office. Nor may he be recalled within six months after a recall election has been determined in his favor.

"Sec. 103

The officer is recalled if a majority of the qualified electors voting in the special election vote to recall him.

The vacancy created by such recall will be filled in the same manner as other vacancies.

"Sec. 104

The Council of the District of Columbia shall pass all laws necessary to carry out the provisions of this act."

Sec. 3. This amendment shall take effect as provided in Sections 303, and 604 of the District of Columbia Self-Government and Governmental Reorganization Act.

...the Board of Directors of the ...
...large share ... for his ... which he ...
...at the ... is ...
...The Board of Directors and ...
...a special election as provided for by the ...
...of the ...

"Sec. 102

...an ... was ...
...the ...
...the ...
...the ...

"Sec. 103

...the ...
...the ...
...the ...
...the ...

"Sec. 104

...The Board of Directors of the ...
...the provisions of this act,
...This amendment shall take effect as provided in
...Sections 102, and 103 of the ...
...and Governmental Registration Act.